

The Honorable Ronald Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

DAWN DOBBINS,

Plaintiff,

v.

WAFLA, a Washington Corporation; and DAN  
FAZIO and J. DOE FAZIO, husband and wife  
and the marital community comprised thereof,

Defendants.

No. 3:17-cv-05489 RBL

JOINT STATUS REPORT AND  
DISCOVERY PLAN

The parties submit the following Joint Status Report and Discovery Plan:

**1. Statement of the nature and complexity of the case**

Plaintiff's statement. Plaintiff asserts employment discrimination claims against her former employer and one its principals. Plaintiff generally asserts sex discrimination and retaliation claims under Title VII of the Civil Rights Act of 1964, and related discrimination and tort claims under Washington law. Plaintiff expects that the factual details of the claims may be complex, but believes that the governing legal principles are well settled.

Defendants' statement. Defendants deny Plaintiff's allegations. Defendants agree that while the claims may be somewhat factually complex, the legal issues are not overly complex.

**2. Proposed deadline for jointing additional parties**

The parties propose that any additional parties be added by motion filed no later than December 14, 2017.

**3. Magistrate Judge**

The parties do not consent to a magistrate judge.

**4. Discovery Plan**

**A. Initial Disclosures**

The parties will exchange initial disclosures on September 18, 2017, pursuant to the Court's order, Dkt. #7.

**B. Subjects, timing and potential phasing of discovery**

The plaintiff intends to seek discovery regarding, generally, the employment practices of the defendants, their knowledge of the discrimination laws and best practices, training, other claims and complaints against them, the personnel files of plaintiff and those involved in supervising her, factors bearing on plaintiff's Title VII punitive damages claim, defendants' handling of plaintiff's employment and the termination of her employment, investigation of complaints, and like subjects. Plaintiff anticipates depositions certainly of the plaintiff, the corporate defendant, and the principals involved in her employment, and also possibly others in the office.

The defendants will seek discovery on similar topics, and on the extent and nature of plaintiff's claimed damages, the merits of her allegations, and any defenses that defendants assert in their Answer to plaintiff's complaint.

**C. Electronically stored information**

The parties expect that each side will have conventional electronically stored information such as email and server documents. The parties do not expect that particular electronic discovery issues will arise.

**D. Privilege issues**

The parties do not expect any unusual privilege issues. The parties have agreed that neither side is required to prepare a privilege log documenting each and every communication between the client-parties and their counsel in this litigation.

**E. Proposed limitations on discovery**

The parties believe that the standard provisions of the federal rules are sufficient to manage discovery in this case.

**F. The need for any discovery related orders**

The parties do not see a need for discovery-related orders at this time. The parties anticipate that they may have disagreements about the scope of discovery from time to time. They will endeavor to reach agreement on these and, if they cannot, present them to the Court for resolution as they arise.

The parties expect there will be discovery of information that producing parties may deem confidential. In that event, the parties will present a version of the model protective order for the Western District of Washington for the Court's review.

**5. Items set forth in Local Civil Rule 26(f)(1)**

**A. Prompt case resolution**

The parties expect that some discovery will need to occur before meaningful settlement discussions can occur.

**B. Alternative dispute resolution**

The parties propose mediation pursuant to Local Civil Rule 39.1. The parties propose that the deadline for mediation be set approximately 60 days before trial, and preliminarily propose August 3, 2018, as the mediation deadline.

**C. Related cases**

None.

**D. Discovery management**

Counsel for both sides are experienced in this type of case and will work together to streamline any discovery issues.

**E. Anticipated discovery sought**

See item 4.B. above.

**F. Phasing motions**

Counsel do not see a need to phase motions. Counsel anticipate dispositive motion practice before trial.

**G. Preservation of discovery information**

Counsel have instructed their clients regarding preservation and do not anticipate that preservation issues will arise.

**H. Privilege issues**

See item 4.D. above.

**I. Model Protocol for Discovery of ESI**

The parties do not see a need for the Model Protocol for Discovery of ESI in this case.

**J. Alternatives of Model Protocol**

The parties believe that the standard provisions of the federal rules will suffice to guide discovery in this case.

**6. Date by which discovery can be completed**

July 2, 2018.

**7. Bifurcation**

The parties do not see a need for bifurcation.

**8. Pretrial statements and pretrial order**

The parties believe the pretrial statements under the local rules would be helpful.

**9. Individualized Trial Program**

The parties do not intend to use the Individualized Trial Program.

**10. Any other suggestions for shortening or simplifying the case**

None at this time. Counsel expect to work together to streamline the determination of this case efficiently, professionally, and on its merits.

**11. Date the case will be ready for trial**

Both sides' counsel are available for trial starting on October 1, 2018.

**12. Jury or non-jury**

Jury.

**13. Number of trial days required**

10 trial days.

**14. Names, addresses, and telephone numbers of all trial counsel**

Plaintiff's Counsel:

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17 **15. Dates on which trial counsel may have complications to be considered in**  
18 **setting a trial date**

19 Defense counsel has trial conflicts on September 10 and September 17, 2018.

20 **16. Service on defendants**

21 All defendants have been served.

22 **17. Scheduling conference**

23 The parties do not see a need for a scheduling conference at this time.

24 **18. Dates that Rule 7.1 Disclosure Statements were filed**

25 Corporate defendant WAFLA filed its Rule 7.1 statement on June 29, 2017.

1 DATED this 22nd day of August, 2017.

2 KELLER ROHRBACK L.L.P.

3  
4 By: s/Ian S. Birk

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**Certificate of Service**

I certify that on August 22, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

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